

**United States District Court**

**NORTHERN**

**DISTRICT OF**

**NEW YORK**

**UNITED STATES OF AMERICA**

**v.**

**EDOUIN ST. JEAN**

U.S. DISTRICT COURT - N.D. OF N.Y.

**FILED**

SEP 29 2006

AT O'CLOCK

Lawrence K. Baerman, Clerk - Binghamton

**CRIMINAL COMPLAINT**

Case Number: 3:06-mj-291

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or about SEPTEMBER OF 2006 in TOMPKINS county, in the Northern District of New York defendant did, while using a facility of interstate and foreign commerce, which included communications and transmissions by computer on the internet as well as telephonic and wire communications, knowingly attempted to and did persuade, induce, entice, and coerce a female minor under eighteen (18) years of age, to engage in sexual activity under such circumstances as would constitute a criminal offense under the New York State Penal Code prohibiting rape, attempted rape, sodomy, attempted sodomy, sexual abuse, attempted sexual abuse, course of sexual conduct against a child, and endangering the welfare of a child. Defendant did travel in interstate commerce for the purpose of engaging in illicit sexual conduct with a female minor under eighteen (18) years of age.

in violation of Title 18, United States Code, Section(s) 2422(b) and 2423(b)

I further state that I am a FBI SPECIAL AGENT and that this complaint is based on the following facts:

Official Title

Continued on the attached sheet and made a part hereof: ☒ YES ☐ NO

**JAMES T. LYONS, JR.**  
**SPECIAL AGENT FEDERAL BUREAU OF INVESTIGATION**

Sworn to before me, and subscribed in my presence,

SEPTEMBER 29, 2006

Date

at

SYRACUSE, NEW YORK

City and State

HON. GUSTAVE J. DIBIANCO, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

  
Signature of Judicial Officer

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in violation of Title 18, United States Code, Section(s) 2422(b) and 2423(b)

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JAMES T. LYONS, JR.

SPECIAL AGENT FEDERAL BUREAU OF INVESTIGATION

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Name and Title of Judicial Officer

\_\_\_\_\_  
Signature of Judicial Officer

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

James T. Lyons, Jr., having been duly sworn, states as follows:

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) for nine years. I am currently assigned to the Albany Field Division, Binghamton, New York Resident Agency. While assigned to the FBI office in Binghamton, New York, I have served as the Affiant in applications for search warrants and requests for interception of electronic and wire communications. I have also participated in a myriad of investigations as an FBI Special Agent, to include matters involving the sexual exploitation of children via computers and the internet. I have made arrests and conducted searches pertaining to these types of investigations.

2. This affidavit contains information for the limited purpose of establishing probable cause to arrest and charge Edouin St-Jean, date of birth: 03/26/1966, with violations of using the Internet and a telephone, both facilities in interstate and/or foreign commerce, to persuade and entice a minor to engage in sexual activity; and, traveling in interstate commerce with the intent to engage in sexual acts with a minor, pursuant to Title 18, United States Code, Sections 2422(b) and 2423(b) .

3. As this affidavit contains information for the limited purpose of establishing probable cause to arrest and charge St-Jean, it does not set forth complete facts of all known

information in this investigation. The details listed within this document represent statements, observations, and factual information that have been obtained by law enforcement officers of the Tompkins County Sheriff's Office (TCSO) and disseminated to your Affiant.

4. On September 29, 2006, your Affiant was contacted by Senior Investigator Derek Osborne, TCSO, Ithaca, New York. Investigator Osborne related he was conducting an investigation regarding the rape of a sixteen year old female. On September 28, 2006, the sixteen year old female (hereafter referred to as "victim") was reported as a missing person to TCSO. During the late evening hours on September 28, 2006, TCSO was contacted by the victim's family and informed that the victim had returned home. TCSO investigators responded to the victim's residence and interviewed the victim.

5. The victim admitted, in sum and substance, that in September 2006, the victim was using the internet and the victim met a male known as "Steven" via an internet website. "Steven" identified himself as a 19 year old male from Boston, Massachusetts. The victim had telephonic conversations with "Steven" during which the victim informed "Steven" that the victim was 16 years of age. The victim had additional internet and telephonic conversations with the person known as "Steven" and the victim agreed to meet "Steven" at a local mall in Ithaca, New York.

6. On September 28, 2006, pursuant to telephonic

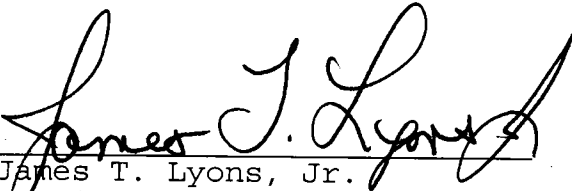
conversations with "Steven", the victim traveled to a mall in Ithaca, New York and awaited "Steven's" arrival. At approximately 9:00 P.M., the person known to the victim as "Steven", and subsequently identified by TCSO as 40 year old Edouin St-Jean, date of birth: 03/26/1966, met the victim at a local mall in Ithaca, New York. St-Jean arrived in a vehicle bearing Massachusetts license plates. St-Jean then transported the victim to a local hotel where St-Jean had sexual contact with the minor victim. The victim informed TCSO investigators that the sexual contact was non-consensual. Pursuant to the sexual contact, St-Jean transported the victim back to the victim's residence.

7. TCSO subsequently located St-Jean at a hotel in the Ithaca, New York area. TCSO investigators identified themselves to St-Jean and requested to speak to St-Jean. St-Jean fell to his knees and began crying. TCSO conducted an interview of St-Jean during which St-Jean admitted, in sum and substance, that he traveled from his home in Massachusetts to Ithaca, New York for the sole purpose of meeting the victim. St-Jean admitted he had internet and telephonic communications with the victim prior to traveling to New York to meet the victim. In addition, St-Jean admitted that while in New York, St-Jean engaged in sexual activity with the victim.

8. TCSO arrested St-Jean and charged St-Jean with Rape in the First Degree, a New York State Class B Felony. TCSO investigators located and seized the vehicle driven by St-Jean

which bears a Massachusetts registration. TCSO investigators also recovered St-Jean's Massachusetts driver's licence which lists St-Jean's home address as 224 Belair Street, Brockton, Massachusetts.

9. WHEREFORE, your Affiant submits that based upon all of the information contained in this affidavit, there is probable cause to believe that Edouin St-Jean committed violations of Title 18, United States Code, Sections 2422(b) and 2423(b) (using the Internet and a telephone, both facilities in interstate and/or foreign commerce, to persuade and entice a minor to engage in sexual activity; and, traveling in interstate commerce with the intent to engage in sexual acts with a minor).

  
James T. Lyons, Jr.  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed before  
me this \_\_\_\_\_ day of September, 2006

\_\_\_\_\_  
GUSTAVE J. DIBIANCO  
UNITED STATES MAGISTRATE JUDGE

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James T. Lyons, Jr.  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed before  
me this 29th day of September, 2006

Gustave J. Dibienco  
GUSTAVE J. DIBIANCO  
UNITED STATES MAGISTRATE JUDGE